

EIGHTIETH DAY

(Friday, June 20, 1941)

The Senate met at 12:30 o'clock p. m., pursuant to adjournment, and was called to order by President Stevenson.

The roll was called, and the following Senators were present:

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Chadick	Moore
Cotten	Ramsey
Fain	Shivers
Formby	Smith
Isbell	Stone
Kelley	Sulak
Lanning	Van Zandt
Lemens	Vick
Lovelady	Weinert
Martin	York

Absent—Excused

Graves	Spears
Hazlewood	Winfield
Hill	

A quorum was announced present.

The invocation was offered by Hon. Jasper N. Reed, member of the House of Representatives.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of the Seventy-ninth Legislative Day was dispensed with and the Journal was approved.

Leaves of Absence Granted

Senator Spears was granted leave of absence for today on account of important business, on motion of Senator Vick.

Senator Hill was granted leave of absence for today on account of important business, on motion of Senator Sulak.

Senator Winfield was granted leave of absence for today on account of important business, on motion of Senator Martin.

Senator Graves was granted leave of absence for today on account of important business, on motion of Senator Mauritz.

Senator Hazlewood was granted leave of absence for today on account of important business, on motion of Senator Formby.

Message from the House

A messenger from the House was recognized by the President to present the following message:

Hall of the House of Representatives,
Austin, Texas,
June 20, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

H. C. R. No. 267, Providing for recess of the Legislature from June 21, 1941 to July 14, 1941 and further providing for sine die adjournment on July 17, 1941.

Respectfully submitted,

E. R. LINDLEY,
Chief Clerk, House of Representatives.

Motion to Introduce Bill

Senator Moffett moved that Section 5 of Article 3 of the Constitution be suspended to permit his introducing a bill, the provisions of which he explained.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—14

Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Lanning	Ramsey
Lemens	Shivers
Lovelady	Smith
Mauritz	Sulak

Nays—11

Aikin	Martin
Beck	Stone
Cotten	Van Zandt
Formby	Vick
Isbell	York
Kelley	

Absent

Weinert

Absent—Excused

Graves	Spears
Hazlewood	Winfield
Hill	

Senate Concurrent Resolution 83

Senator Martin offered the following resolution:

Be It Resolved by the Senate of Texas, the House of Representatives concurring, That the Regular Session

of the Forty-seventh Legislature stand adjourned sine die at twelve o'clock noon, June 25, 1941.

AIKIN,
LOVELADY,
STONE,
MARTIN,
MOORE,
MOFFETT,
SHIVERS,
BECK.
RAMSEY,
SMITH.

The resolution was read.

The resolution was adopted by the following vote:

Yeas—20

Aikin	Moffett
Beck	Moore
Brownlee	Ramsey
Chadick	Shivers
Fain	Smith
Isbell	Stone
Lemens	Van Zandt
Lovelady	Vick
Martin	Weinert
Mauritz	York

Nays—4

Cotten	Lanning
Formby	Sulak

Absent—Excused

Hill	Winfield
Spears	

Paired

Senator Kelley (present), who would vote "nay" with Senator Graves (absent), who would vote "yea."

Senator Metcalfe (present), who would vote "yea" with Senator Hazlewood (absent), who would vote "nay."

House Concurrent Resolution 267

The President laid before the Senate and had read (the resolution having been received from the House today):

H. C. R. No. 267, Providing for recess of the Legislature from June 21, 1941, to July 14, 1941, and for sine die adjournment of the Legislature on July 17, 1941, at 12:00 o'clock noon.

Senator York called for consideration of the resolution at this time.

The resolution was lost by the following vote:

Yeas—11

Aikin	Lanning
Cotten	Lemens
Formby	Moffett

Smith
Sulak
Van Zandt

Vick
York

Nays—12

Beck	Mauritz
Brownlee	Moore
Chadick	Ramsey
Fain	Shivers
Lovelady	Stone
Martin	Weinert

Absent—Excused

Hill	Spears
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Paired

Senator Isbell (present), who would vote "yea" with Senator Winfield (absent), who would vote "nay."

Senator Kelley (present), who would vote "yea" with Senator Graves (absent), who would vote "nay."

Senator Metcalfe (present), who would vote "nay" with Senator Hazlewood (absent), who would vote "yea."

Motion to Introduce Bill

Senator Lanning moved that Section 5 of Article 3 of the Constitution be suspended to permit his introducing a bill to provide for donating to Montague County a portion of the ad valorem taxes collected in the county for a period of ten years.

The motion was lost by the following vote: (not receiving the necessary four-fifths vote):

Yeas—19

Brownlee	Metcalfe
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Kelley	Smith
Lanning	Stone
Lemens	Sulak
Lovelady	Vick
Martin	Weinert
Mauritz	

Nays—7

Aikin	Shivers
Beck	Van Zandt
Formby	York
Isbell	

Absent—Excused

Graves	Spears
Hazlewood	Winfield
Hill	

Senate Resolution 177

Senator Moffett offered the following resolution:

S. R. No. 177, Commending World Cotton Congress.

Whereas, There is soon to be held in the City of Waco, Texas, a second session of the World Cotton Congress, sponsored by the Statewide Cotton Committee of Texas; and

Whereas, At the said World Cotton Congress the best informed authorities in their respective fields will be present to participate in the discussion of the various problems confronting the cotton producer, the cotton processor, and the cotton spinner, and also problems relating to restoration of the export market for American cotton; and

Whereas, This World Cotton Congress is considered to be the outstanding cotton meeting held in the United States; therefore, be it

Resolved by the Senate of Texas, That the efforts and activities of the said World Cotton Congress be commended and endorsed to the fullest extent; and, be it further

Resolved, That a copy of this resolution be sent to the Hon. Burris C. Jackson, chairman of the Statewide Cotton Committee of Texas, and of the World Cotton Congress.

MOFFETT,
VICK.

The resolution was read, and on motion of Senator Moffett and by unanimous consent, it was considered and adopted at this time.

Senate Concurrent Resolution 84

Senator Stone offered the following resolution:

S. C. R. No. 84, Relating to drilling of oil wells on submerged lands.

Be it resolved by the Senate of Texas, the House of Representatives concurring:

Whereas, The press reports inform us that an oil well being drilled in Galveston Bay, blew out Monday from a cause apparently unknown and crumpled the derrick into a twisted mass of steel and has continued to blow sand, mud, rock and salt water more than three hundred feet into the air for two or three days thereafter, and while the oil sand had not been reached so that probably very little damage was done to marine life, fear

has been expressed that it might have caused injury to the oyster beds, and certainly if it had blown out after it began making oil, a very serious condition would have existed; and

Whereas, It is apparent from this example that in all cases where oil wells are being drilled in the submerged land in our bays and in the gulf, there always exists a possibility of the wells blowing out and running wild after the oil sands are reached, with the resultant danger of pollution to the waters and damage to our beaches; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That the State Land Lease Board be requested to execute no further oil leases on submerged State lands, and to request the holders of leases that have already been granted, to refrain from drilling any more wells on such submerged State lands, at least until a much greater need for more oil exists than is the case at the present time; and be it further

Resolved, That a copy of this resolution be sent to the Governor, the Attorney General and the Commissioner of the Land Office.

STONE,
MOORE,
SHIVERS,
MAURITZ,
KELLEY.

The resolution was read and was referred to the Committee on Oil, Gas and Conservation.

Adjournment

Senator Cotten moved that the Senate adjourn until 10:00 o'clock a. m., Monday, June 23, 1941.

Senator Martin moved that the Senate adjourn until 10:00 o'clock a. m., Tuesday, June 24, 1941.

Question first recurring on the motion of Senator Martin, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—17

Brownlee	Moffett
Chadick	Moore
Cotten	Ramsey
Fain	Shivers
Isbell	Stone
Kelley	Vick
Lanning	Weinert
Lovelady	York
Martin	

Nays—9

Aikin	Metcalf
Beck	Smith
Formby	Sulak
Lemens	Van Zandt
Mauritz	

Absent—Excused

Graves	Spears
Hazlewood	Winfield
Hill	

The Senate, accordingly, at 1:00 o'clock p. m., adjourned until 10:00 o'clock a. m., Tuesday, June 24, 1941.

EIGHTY-FIRST DAY

(Tuesday, June 24, 1941)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Stevenson.

The roll was called, and the following Senators were present:

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Stone
Hazlewood	Sulak
Hill	Van Zandt
Isbell	Vick
Kelley	Weinent
Lanning	Winfield
Lemens	York

Absent—Excused

Shivers	Spears
Smith	

A quorum was announced present.

Rev. S. B. Culpepper, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of Friday, June 20, 1941 was dispensed with and the Journal was approved.

Leaves of Absence Granted

Senator Spears was granted leave of absence for today on account of important business, on motion of Senator Graves.

Senator Smith was granted leave of absence for today and the remainder of the week on account of important business, on motion of Senator Brownlee.

Senator Shivers was granted leave of absence for today on account of important business, on motion of Senator Moore.

Veto of Senate Bill 5

The President laid before the Senate and had read the following message from the Governor:

Austin, Texas,
June 23, 1941.

To the Senate of the Forty-seventh Legislature:

I return to you without my signature S. B. No. 5, generally known as the ad valorem tax remission bill. I have declined to sign this bill for several reasons. I believe it is unsound government policy to remit these ad valorem taxes to the counties to spend. If we believe that the counties need more money to spend, and if we do not want to place more taxes on the ad valorem tax payers, then the proper method to accomplish this would be to grant the additional taxing authority to the counties and at the same time make a corresponding reduction in the constitutional authority to levy State ad valorem taxes.

If the counties are going to spend this ad valorem tax money, then the citizens of those counties should have an opportunity to vote on whether or not they want the tax levied.

Everybody knows that I have always contended that too much of the cost of State and local government is coming from the ad valorem tax payers, but if we remit these ad valorem taxes to the counties we will be certain then that they will never be abolished. What we need is some plan which will relieve the ad valorem tax payer.

Another reason I have refused to approve this bill lies in the fact that under the present existing conditions, and in light of the appropriations which this Legislature is making, I do not believe it wise to take this